

AUG 25 2006

Application No. 10/632,221

AMENDMENTS TO THE DRAWINGS

FIG. 1 has been amended to add descriptive text labels to previously unlabeled rectangular boxes. In particular, the portion of FIG. 1 related to reference numeral 2 has been labeled "COMPUTING SECTION"; reference numeral 5, "APP.>"; reference numeral 6, "LICENSE MANAGER"; and reference numeral 7, "LICENSE MODULE."

Support for the amendments to FIG. 1 can be found throughout the application as filed, for example at page 9, lines 21-26. Therefore, no new matter has been added.

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REMARKS

Prior to entry of this Amendment, claims 1, 2, 8, 17, and 20 were pending. Claims 3-7, 9-16, 18, and 19 were previously withdrawn in response to a Restriction Requirement. By this Amendment, claim 1 is canceled, and claims 2, 8, 17, and 20 are amended. Therefore, claims 2, 8, 17, and 20 are pending.

Telephone Interview Summary

Applicant thanks the Examiner for the courtesy extended to his undersigned representative in a telephone interview on August 18, 2006. During the telephone interview, the title of the application and claim 2 were discussed. In particular, the Examiner suggested amending the title to be more descriptive. Claim 2 as distinguished from the cited reference U.S. Patent Application Publication No. 2002/0107750 to Kanevsky et al. (hereinafter "Kanevsky") was also discussed. Applicant appreciates the comments provided by the Examiner and now submits this Amendment for consideration. Applicant's undersigned attorney also thanks the Examiner for his time and courtesy.

Objections to the Drawings

The drawings were objected to for including unlabeled rectangular boxes. FIG. 1 has been amended herein to add descriptive text labels to previously unlabeled rectangular boxes. In particular, the portion of FIG. 1 related to reference numeral 2 has been labeled "COMPUTING SECTION"; reference numeral 5, "APP.>"; reference numeral 6, "LICENSE MANAGER"; and reference numeral 7, "LICENSE MODULE."

Support for the amendments to FIG. 1 can be found throughout the application as filed, for example at page 9, lines 21-26. Therefore, no new matter has been added. Applicant respectfully requests that the objection to the drawings be withdrawn.

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Objections to the Specification

The specification was objected to for lacking section titles. The specification has been amended herein to add section titles. The title of the application has also been amended at the suggestion of the Examiner. No new matter has been added, and Applicant respectfully requests that the objection to the specification be withdrawn.

Claim Amendments

Claim 2 has been amended to include the subject matter previously recited in claim 1, from which claim 2 depended, and to recite that a rate of the decrease in the speed of execution is increased with time. Claims 8 and 20 have been amended to now depend from amended claim 2. Claim 17 has been amended to recite that a rate of a decrease in the lower speed of execution is increased with time, in combination with the other recited elements. No new matter has been added.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 8, 17, and 20 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2002/0107750 to Kanevsky et al. (hereinafter “Kanevsky”). Claim 1 has been canceled. Insofar as the rejections apply to the remaining amended claims, the rejections are respectfully traversed.

Amended claim 2 now recites a method of operating a computer system on which an application is installed, said method comprising the steps of: verifying whether a predetermined run authorization for the application is present, and in the absence of said predetermined run authorization, decreasing the speed of execution of the application on the computer system as compared to the speed of execution of the application in the presence of the predetermined run

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authorization, wherein a rate of the decrease in the speed of execution is increased with time. Refer also to page 2, lines 23-27 of the present application as filed.

Kanevsky neither teaches nor suggests that a rate of the decrease in the speed of execution is increased with time, as required by amended claim 2. On the contrary, Kanevsky teaches a constant or linear degradation. For example, at page 2, paragraph 0022, Kanevsky teaches that the "degradation can happen in a random manner as well as a gradual, progressive manner." On the same page at paragraph 0019, Kanevsky teaches a constant or linear degradation of brightness: "For example, after thirty days, the application may be 90% as bright as it was originally, and after sixty days the application may be 80% as bright." Again regarding intensity, Kanevsky includes paragraph 0026 and FIG. 3. These portions of Kanevsky, however, include only teachings regarding color or intensity, not speed of execution as required by amended claim 1, and FIG. 3 includes no values or labels by which to teach or determine a scale. Regarding speed, Kanevsky teaches only that "[p]rocessing speed may degrade so that, for example, a task that takes a certain amount of time one day takes may take [sic] more time the next day." Kanevsky, page 2, paragraph 0020.

Therefore, Kanevsky does not provide a teaching as required by § 102(e) to meet the recitations of amended claim 2. In particular, Kanevsky does not teach or suggest that a rate of the decrease in the speed of execution is increased with time, as required by amended claim 2 of the present application. Claim 2 is thus allowable. Claims 8 and 20 depend from claim 2 and are therefore also now allowable. The rejections of claims 8 and 20 are traversed but not expressly argued herein in view of the allowability of the underlying base claim.

Amended claim 17 recites, in part, that a rate of a decrease in the lower speed of execution is increased with time. At least for the reasons set forth above with respect to claim 2, Applicant respectfully submits that amended claim 17 is also now allowable.

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Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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